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## Public Safety Committee

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### SSB 5022

**Brief Description:** Changing retail theft with extenuating circumstances to retail theft with special circumstances.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators Padden, Sheldon and Carrell).

<p style="text-align: center;"><b>Brief Summary of Substitute Bill</b></p> <ul style="list-style-type: none"><li>• Changing Retail Theft with Extenuating Circumstances to Retail Theft with Special Circumstances.</li></ul>
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**Hearing Date:** 3/5/13

**Staff:** Sarah Koster (786-7303).

**Background:**

A person commits the crime of Retail Theft with Extenuating Circumstances if the individual commits Theft of property from a mercantile establishment with one of the following circumstances:

- to facilitate the theft, the person leaves the mercantile establishment through a designated emergency exit;
- the person was, at the time of the theft, in possession of an item, article, implement, or device designed to overcome security systems including, but not limited to, lined bags or tag removers; or
- the person committed theft at three or more separate and distinct mercantile establishments within a 180-day period.

Retail Theft with Extenuating Circumstances may be charged in the first, second, or third degree, depending on the value of the items taken. Theft of property valued at over \$5,000 is Theft in the first degree, a class B felony. Theft of property valued at more than \$750 but not exceeding

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

\$5,000 is Theft in the second degree, a class C felony. Theft of property valued at \$750 or less is Theft in the third degree, a class C felony.

The term extenuating circumstances is not defined in the Revised Code of Washington.

**Summary of Bill:**

The crime of Retail Theft with Extenuating Circumstance is changed to Retail Theft with Special Circumstances.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect on January 1, 2014.